

REMARKS

Claims 1-10 and 16-17 are all the claims pending in the application.

The Office Action Summary from the Action dated March 14, 2007 erroneously indicates that claims 1-10 and 16 are pending. However, claim 17 is also pending. Applicants respectfully requests clarification of this matter.

I. Response to Rejections Based on Prior Art

A. WO '573 in view of Kurisu et al

Claims 1, 3-10 and 17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over WO 99/47573 (WO '573) in view of Kurisu et al (US 6,254,847).

B. WO '573 in view of Kurisu et al and Applicants' Alleged Admitted Prior Art

Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over WO 99/47573 in view of Kurisu et al (US 6,254,847) and Applicants' alleged admitted prior art JP-A-322168.

C. Applicants' Response

Applicants respectfully traverse the rejections and submit that the cited references do not teach or suggest the present invention based on the following.

The Examiner recognizes that WO '573 does not teach the hydrated metal compound which is a composite of $\text{MgO} \cdot \text{ZnO} \cdot \text{H}_2\text{O}$ or $\text{MgO} \cdot \text{NiO} \cdot \text{H}_2\text{O}$. The Examiner relies on Kurisu to remedy the deficiencies of WO '573.

In Kurisu, it is described that, by using a metal hydroxide solid solution having a specific shape, when the metal hydroxide solid solution is kneaded into a synthetic resin as an additive, fluidity and processability of the resin are improved, the molding speed is improved, and the

dispersibility in the resin becomes good (see, column 11 to column 12). Furthermore, examples of the application of Kurisu are described as flame retardants, ultraviolet ray absorbents, reinforcing materials, radiating agents, and so on. However, the effect owing to the use of specific composite metal hydroxide according to the present invention is capable of obtaining high degree of expansion in the production of expanded material using supercritical fluid. This has already been proven by the experimental data of record and previously submitted on February 8, 2007 and August 23, 2005. Such an effect is not taught or suggested in Kurisu, and therefore, even when Kurisu is combined with WO '573 in which a production process of expanded material using supercritical fluid is disclosed, the effect achieved by the present invention cannot be expected. Thus, the Examiner's assertion that the present invention is obvious from the combination of WO '573 and Kurisu is based on improper hindsight.


None of the other prior art references remedies the deficiencies of WO '573 and kurisu, whether taken alone or in combination.

Accordingly, the present invention is not rendered obvious and Applicants respectfully request withdrawal of the §103 rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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